

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kalyana Sundram et al.

Serial No. 08/626,461

Filed: April 2, 1996

For: INCREASING THE HDL LEVEL
AND THE HLD/LDL RATIO IN HUMAN
SERUM BY BALANCING SATURATED
AND POLYUNSATURATED DIETARY
FATTY ACIDS

Group Art Unit 1302

Examiner Paden, C.

October 27, 1997

11/Terminal
Disposal
C.F.
11-12-97

TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321(b)

Assistant Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

Your petitioner, BRANDEIS UNIVERSITY, a non-profit corporation, having a place of
business at Waltham, Massachusetts, represents that it is Assignee and owner of the entire

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any referred to as being attached or
enclosed) is being deposited with the United States Postal Service on the date shown below
with sufficient postage as first class mail in an envelope addressed to the Assistant
Commissioner for Patents, Washington, D.C. 20231.

October 27, 1997
date of deposit

CARA GREIFONE
name of person mailing paper
Cara Greifone
signature of person mailing paper

SSSD/43993. v01

interest of U.S. Patent No. 5,578,334.

Your petitioner, BRANDEIS UNIVERSITY, hereby disclaims the terminal part of any patent granted on the above-identified application Serial No. 08/626,461 which would extend beyond the expiration date of U.S. Patent 5,578,334, and hereby agrees that any patent so granted on the above-identified application Serial No. 08/626,461 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent 5,578,334, this agreement binding upon the grantee, its successors or assigns.

The undersigned has reviewed all documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above. The undersigned is empowered to act on behalf of the assignee.

In making the above disclaimer, the owners do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a reexamination certificate, is reissued, or is, in any manner, terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these

statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

LYON & LYON

Dated: October 27, 1997

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